

Message Text

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C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 21936

E.O. 11652: GDS
TAGS: CASC, CGEN, BGEN, UR, US (CRAWFORD, FRANCIS J)
SUBJECT: CRAWFORD ARREST AND TRIAL: FINAL SUMMARY

REF: (A) MOSCOW 21388, (B) MOSCOW 21345

SUMMARY: POST FEELS THAT IT WOULD BE USEFUL TO REVIEW
COURSE OF CRAWFORD TRIAL IN MORE DETAIL TO COMMENT
ON THE EVIDENCE AGAINST CRAWFORD, DEFENSE AND PROSE-
CUTION TACTICS, AS WELL AS SOVIET COURT TACTICS TO
LIMIT REPORTERS GAINING ACCESS TO TRIAL. END SUMMARY.

1. EVIDENCE: THE PROSECUTIONS CASE AGAINST CRAWFORD
WAS BASED ON THE CONFESSIONS OF THE KISELEVS, AS
WELL AS DOCUMENTS SHOWING THAT CRAWFORD PAID FOR
SERVICES AT THE INTOURIST HOTEL IN SOVIET MONEY.
WITNESSES ALSO STATED THAT THEY HAD SEEN CRAWFORD
WITH KISELEVS AND THAT THE LATTER HAD TRANSPORTED
LARGE BAGS FOR CRAWFORD. KISELEV TESTIMONY WAS
WEAKENED BY THE FACT THAT HE READ HIS CONFESSION,
FREQUENTLY LOSING HIS PLACE, AND CONFUSING CRITICAL
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DATES AND PLACES. KISELEVA'S TESTIMONY WAS BETTER
PREPARED, THOUGH SHE GAVE HER CONFESSION LIKE A SCHOOL
GIRL RECITING LENIN. THE SUBSIDIARY WITNESSES PROVIDED
MORE COMIC RELIEF THAN EVIDENCE. LARISSA FORMINOVA
CAME TO COURT IN A LONG BLACK DRESS, A MOTH-EATEN
RABBIT FUR JACKET, AND A SILVER PURSE ON A LONG
SILVER CHAIN. SHE ADMITTED BEING WITHOUT "WORK," AND

BEING IN MOSCOW WITHOUT A "PROPISKA." THE CHAUFFEURS, FORMERLY EMPLOYED BY INTERNATIONAL HARVESTER, WERE CALLED TO STATE THAT THEY HAD, IN FACT DRIVEN CRAWFORD TO THE KISELEVS, AND THAT THEY HAD SEEN HIM IN DISGUISE (I.E., BLUE JEANS) ON THE WEEKEND.

2. PROSECUTION TACTICS: PROCURATOR ILYUKHIN DID NOT DEVIATE FROM THE INDICTMENT. HE HAD READ INTO THE RECORD CONFESSIONS FROM SEVERAL FOREIGNERS, INCLUDING AN ECUADORIAN DIPLOMAT RESIDENT IN MOSCOW, STATING THAT THEY HAD CHANGED MONEY WITH THE KISELEVS. THE PROSECUTOR WAS INEPT IN HIS HANDLING OF CRAWFORD. HE DID NOT REALIZE THAT TRAVELERS' CHECKS COULD BE PURCHASED AT THE EMBASSY. DURING HIS FINAL SUMMARY, HE BERATED CRAWFORD FOR TELLING THE COURT THAT HE HAD PURCHASED CHECKS IN THE EMBASSY. MEANWHILE, ONE OF WITNESSES FOR PROSECUTION, IN ENLARGING AT PROSECUTOR'S REQUEST ON TESTIMONY SHE WAS RECORDED AS HAVING GIVEN DURING PRELIMINARY INVESTIGATION, ENDED UP SUPPORTING CRAWFORD. WHEN PROSECUTOR ASKED HER WHY HER STATEMENTS NOW DIFFERED FROM STORY SHE HAD TOLD DURING PRELIMINARY HEARING, SHE RESPONDED, "I TOLD NO STORY AT THAT TIME; I MERELY RESPONDED TO QUESTIONS YOU FED ME."

3. DEFENSE TACTICS: PETER MAGGS AND DEFENSE ATTORNEY POPOV DECIDED TO ALLOW CRAWFORD TO CROSS-EXAMINE HIS CONFIDENTIAL

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ACCUSERS. THIS TACTIC UNCOVERED A NUMBER OF INTERNAL CONTRADICTIONS IN THE STATE'S CASE:

-- THREE WITNESSES STATED THEY HAD VISITED CRAWFORD IN EARLY 1977 IN HIS APARTMENT ON THE 18TH FLOOR OF THE INTOURIST HOTEL, WHEN CRAWFORD HAD NOT MOVED THERE UNTIL NOVEMBER OF THAT YEAR.

-- KISELEVA CLAIMED SHE BOUGHT DOLLARS FROM CRAWFORD ON DECEMBER 23, BUT CRAWFORD PROVED HE HAD LEFT THE SOVIET UNION ON DECEMBER 21.

-- KISELEVA CLAIMED THAT SHE HAD SOLD CRAWFORD RUBLES ON THEIR FIRST MEETING, WHILE FORMINOVA CLAIMED THAT THIS MEETING HAD BEEN FOR SOCIAL REASONS ONLY.

-- ONE CHAUFFEUR CLAIMED THAT HE HAD PLACED MYSTERIOUS BAGS IN THE TRUNK OF CRAWFORD'S CAR. CRAWFORD THEN NOTED THAT HE OWNED A VOLVO STATION WAGON, WHICH DOES NOT HAVE A TRUNK.

-- KISELEV BROTHER STATED IN HIS PROTOCOL THAT HE HAD

TAKEN HIS BROTHER TO A MEETING WITH CRAWWORD, BUT ON
THE WITNESS STAND HE HAD NOT SEEN CRAWFFORD AT THE MEETING.

-- THE INTOURIST BOOKKEEPER CLAIMED THAT CRAWFORD HAD
PAID SOME BILLS IN RUBLES. ON CROSS EXAMINATION ABOUT
THE MECHANICS OF THE INTOURIST BAR, SHE STATED: "YOU
CAN ONLY PAY IN FOREIGN CURRENCY AT THE HOTEL."

-- ANOTHER ACCUSATION DEALT WITH PAYMENT OF \$1500
SERVICE BILL BY MEANS OF FIVE (SIC) TRAVELERS
CHECKS. CRAWFORD POINTED OUT THAT HE HAD NEVER
HAD ANY TRAVELERS CHECKS IN DENOMINATIONS LARGER
THAN \$100 AND THUS COULD NOT HAVE PAID VIA FIVE
CHECKS AS NOTED ON FACE OF RECEIPTED BILL.
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(FYI: DEPUTY CHASE BANK REP LATER INDICATED
THAT, ACCORDING TO HER CALCULATIONS, THERE IS
NO WAY TO MAKE ANY FIVE TRAVELERS CHECKS ADD UP

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TO \$1500). POPOV IN HIS FINAL ARGUMENTS NOTED
THAT WHILE OTHER FOREIGNERS HAD CONFESSED TO
CHANGING MORE MONEY THAN CRAWFORD, NONE HAD BEEN

INDICTED. POPOV AND CRAWFORD NOTED THAT THE KGB'S CASE WAS RIDDLED WITH INTERNAL CONTRADICTIONS.

4. ROLE OF SOVIET DEFENSE ATTORNEY: LEONID POPOV TOOK UP THE RESPONSIBILITIES OF DEFENSE TRIAL COUNCIL WITH ABILITY. HE CROSS-EXAMINED CO-DEFENDANTS WITH SKILL. FULLY BRIEFED BY MAGGS ABOUT THE USES AND ABUSES OF VALUTA (WESTERN CURRENCY), HE ATTACKED THE CONSISTENCY AND RELEVANCY OF THE PROSECUTION'S DOCUMENTS. DURING HIS SUMMATION HE RIDICULED THE KESELEVS' STATEMENTS, NOTING THE CONTRADICTION IN THEIR TESTIMONY.

5. THE PRESS: SOVIET TACTICS WERE TO LIMIT ACCESS OF WESTERN JOURNALISTS TO THE COURTROOM. TOWARD THAT END, COURT FILLED 20 OF TOTAL 36
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SPECTATOR SEATS WITH "TYPICAL SOVIET CITIZENS" WHO SLEPT, READ AND TALKED THROUGH THE TRIAL. OTHER SEATS WERE RESERVED FOR RELATIVES OF DEFENDANTS AND OFFICIAL OBSERVERS FROM I-H AND EMBASSY, LEAVING SIX OPENINGS FOR WORLD PRESS, INCLUDING INTERPRETER. AFTER FIRST DAY, AUTHORITIES KEPT FRONT DOOR LOCKED UNTIL SOVIET "CITIZENS" HAD BEEN USHERED INTO COURTHOUSE THROUGH GUARDED REAR SERVICE ENTRANCE AND SEATED IN COURTROOM. WHILE NUMBER OF SEATS AVAILABLE TO OFFICIAL AND PRESS OBSERVERS REMAINED CONSTANT IN SUBSEQUENT SESSIONS (EXCEPT FOR PARTIAL RELAXATION ON DAY OF SENTENCING), BAILIFF WARNED "CITIZENS" IN EXPLICIT DETAIL WHEN TO RETURN FOR AFTERNOON SESSIONS. DURING THE LAST AFTERNOON SESSION, THE BAILIFF PERMITTED SEVERAL SOVIET PROSTITUTES, WHO WERE RECOGNIZED BY JOURNALIST AND WERE APPARENTLY FRIENDS OF KESELEVS, TO ENTER, WHILE STILL LIMITING NUMBER OF AMERICAN REPORTERS. MEANWHILE, AMERICAN REPORTERS WERE ANGERED BY TASS REPORTS ON TUESDAY AND WEDNESDAY WHICH ATTACKED CRAWFORD FOR COWARDICE (FOR REFUSING TO ADMIT HIS GUILT) AND LYING.

6. THE KGB RECEIVED BAD MARKS FOR ITS DIRECTION FROM ALL IMPARTIAL OBSERVERS. REUTERS CORRESPONDENT CATLIN DAMAGED THE PROSECUTION'S CASE FURTHER BY OBTAINING EVIDENCE FROM THE FRG EMBASSY SHOWING THAT "JURGEN MOSSER," THE CHIEF FOREIGN ACCOMPLICE OF THE KISELEVS, DOES NOT APPEAR TO

HAVE EVER VISITED OR LIVED IN THE USSR. FURTHER,
THE ECUADORIAN DIPLOMAT NAMED IN THE INDICTMENT
AND IN THE TESTIMONY HAS CALLED REUTERS TO
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PROTEST HIS INNOCENCE. ALL IN ALL, THERE IS
CONSIDERABLE ROOM TO QUESTION WHETHER ENTIRE TRIAL
OF OTHER DEFENDANTS WAS MORE THAN THEATRICAL
BACKDROP AGAINST WHICH CRAWFORD SHOW-TRIAL
WAS HELD. GARRISON

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